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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Case No. 07-md-1902 (GEL)

In re REFCO, INC. SECURITIES LITIGATION

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This Document Relates To:

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KENNETH M. KRYS and CHRISTOPHER STRIDE, as JOINT OFFICIAL LIQUIDATORS of SPHINX LTD., SPHINX STRATEGY FUND LTD.; SPHINX PLUS SPC LTD., SPHINX DISTRESSED LTD., SPHINX MERGER ARBITRAGE LTD.; SPHINX SPECIAL SITUATIONS LTD., SPHINX MACRO LTD.; SPHINX LONG/SHORT EQUITY LTD.; SPHINX MANAGED FUTURES LTD.; SPHINX EQUITY MARKET NEUTRAL LTD.; SPHINX CONVERTIBLE ARBITRAGE LTD.; SPHINX FIXED INCOME ARBITRAGE LTD.; SPHINX DISTRESSED FUND SPC; SPHINX MERGER ARBITRAGE FUND SPC; SPHINX SPECIAL SITUATIONS FUND SPC; SPHINX MACRO FUND SPC; SPHINX LONG/SHORT EQUITY FUND SPC; SPHINX MANAGED FUTURES FUND SPC; SPHINX EQUITY MARKET NEUTRAL FUND SPC; SPHINX CONVERTIBLE ARBITRAGE FUND SPC; SPHINX FIXED INCOME ARBITRAGE FUND SPC; PLUSFUNDS MANAGED ACCESS FUND SPC LTD.; KENNETH M. KRYS and CHRISTOPHER STRIDE as assignees of claims assigned by MIAMI CHILDREN'S HOSPITAL FOUNDATION, OFI, GREEN & SMITH INVESTMENT MANAGEMENT LLC, THALES FUND MANAGEMENT LLC, KELLNER DILEO & CO., LLC, MARTINGALE ASSET MANAGEMENT LP, LONGACRE FUND MANAGEMENT LLC, ARNHOLD & S. BLEICHROEDER ADVISERS LLC, PICTET & CIE, RGA AMERICA REINSURANCE COMPANY, DEUTSCHE BANK (SUISSE) SA, ARAB MONETARY FUND, HANSARD INTERNATIONAL LTD., CONCORDIA ADVISORS LLC, GABELLI SECURITIES, INC., CITCO GLOBAL CUSTODY; and JAMES P. SINCLAIR as Trustee of the SPHINX TRUST,

Case No. 08-cv-3065 (GEL)

Case No. 08-cv-3086 (GEL)

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-against-

CHRISTOPHER SUGRUE; MARK KAVANAGH; BRIAN OWENS; PRICEWATERHOUSECOOPERS L.L.P.; MARI FERRIS; PRICEWATERHOUSECOOPERS CAYMAN ISLANDS; GIBSON, DUNN & CRUTCHER LLP; REFCO ALTERNATIVE INVESTMENTS LLC; GRANT THORNTON LLP; MARK RAMLER; ERNST & YOUNG U.S. LLP; MAYER BROWN LLP f/k/a MAYER BROWN ROWE & MAW LLP; JOSEPH COLLINS; EDWARD S. BEST; PAUL KOURY; PHILLIP R. BENNETT; ROBERT C. TROSTEN; TONE GRANT; SANTO MAGGIO; THOMAS HACKL; DENNIS KLEJNA; BAWAG P.S.K. BANK FUR ARBEIT UND WIRTSCHAFT UND OSTERREICHISCHE POSTPARKASSE AKTIENGESELLSCHAFT; JP MORGAN CHASE & CO.; CREDIT SUISSE SECURITIES (USA) LLC f/k/a CREDIT SUISSE FIRST BOSTON LLC; BANC OF AMERICA SECURITIES LLC; THOMAS H. LEE PARTNERS, L.P.; THOMAS H. LEE ADVISORS, LLC; THL MANAGERS V, LLC; THL EQUITY ADVISORS V, L.P.; THOMAS H. LEE EQUITY FUND V, L.P.; THOMAS H. LEE PARALLEL FUND V, L.P.; THOMAS H. LEE EQUITY (CAYMAN) FUND V, L.P.; THOMAS H. LEE INVESTORS LIMITED PARTNERSHIP; 1997 THOMAS H. LEE NOMINEE TRUST; THOMAS H. LEE; DAVID V. HARKINS; SCOTT L. JAECKEL; SCOTT A. SCHOEN; WILLIAM T. PIGOTT; LIBERTY CORNER CAPITAL STRATEGIES, LLC; EMF FINANCIAL PRODUCTS LLC; EMF CORE FUND LTD.; DELTA FLYER FUND LLC; ERIC M. FLANAGAN; INGRAM MICRO, INC.; CIM VENTURES, INC.; BECKENHAM TRADING CO., INC.; ANDREW KRIEGER; COAST ASSET MANAGEMENT, LLC, f/k/a COAST ASSET MANAGEMENT LP; CS LAND MANAGEMENT LLC; CHRISTOPHER PETTIT; and REFCO GROUP HOLDINGS, INC.; and REFCO ASSOCIATES, INC..

Defendants

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STATE OF MASSACHUSETTS)

S.S.:)

COUNTY OF PLYMOUTH)



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PETER C. MURPHY, being duly sworn, deposes and says that he is over the age of eighteen years, is an agent of the attorney service, DLS, INC., and is not a party of this action.

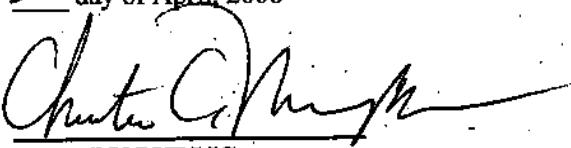
That on the 16th day of April, 2008, at approximately the time of 3:35 PM, deponent served a true copy of the FEDERAL SUMMONS ISSUED AND PLAINTIFF'S DEMAND FOR JURY TRIAL IN CIVIL ACTIONS 08-cv-3065 and 08-cv-3086; NOTICE OF REMOVAL FILED BY DEFENDANT BAWAG, 08-cv-3065; NOTICE OF REMOVAL FILED BY VARIOUS DEFENDANTS, 08-cv-3086; SUMMONS AND COMPLAINT FOR THE ACTION COMMENCED IN NEW YORK SUPREME COURT; PLAINTIFFS' STATEMENT PURSUANT TO BANKRUPTCY RULE 9027, 07-md-1902 and 08-cv-3065; PLAINTIFFS' STATEMENT PURSUANT TO BANKRUPTCY RULE 9027, 07-md-1902 and 08-cv-3086; NOTICE OF APPEARANCE FOR DAVID MOLTON, 07-md-1902 and 08-cv-3065; NOTICE OF APPEARANCE FOR ANDREW DASH, 07-md-1902 and 08-cv-3065; NOTICE OF APPEARANCE FOR DAVID MOLTON, 07-md-1902 and 08-cv-3086; AND NOTICE OF APPEARANCE FOR ANDREW DASH, 07-md-1902 and 08-cv-3086 upon SCOTT A. SCHOEN at 100 Federal Street, 35th Floor, Boston, MA, by personally delivering and leaving the same with SHERI WOLKAN who informed deponent that she holds the position of In-House Counsel and is authorized by appointment to receive service at that address.

SHERI WOLKAN is a white female, approximately 45 years of age, stands approximately 5 feet 5 inches tall, weighs approximately 135 pounds with brown hair and brown eyes.



PETER C. MURPHY

Sworn to before me this
26 day of April, 2008



NOTARY PUBLIC